

AO 91 (Rev. 11/11) Criminal Complaint

United States District Court
Southern District of Texas
FILED

AUG 02 2013

Clerk of Court

UNITED STATES DISTRICT COURT

for the

Southern District of Texas

United States of America)

v.)

Tomas GONZALEZ)

YOB: 1977)

Case No. M-13-1387-M

Defendant(s)

SEALED

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 2007 to July 31, 2013 in the county of Hidalgo in the
Southern District of Texas, the defendant(s) violated:

Code Section

Offense Description

21 U.S.C. Section 846

Did knowingly and intentionally conspired to possess with intent to distribute a controlled substance. The controlled substances involved were more than 1,000 kilograms of a mixture or substance containing a detectable amount of marijuana, a Schedule I controlled substance, and more than 5 kilograms of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

This criminal complaint is based on these facts:

See Attachment A

☒ Continued on the attached sheet.Approved by: *Andrés Alonzo*
AKA*Omar Cervantes*
Complainant's signatureOmar Cervantes, S/A DEA
Printed name and title

Sworn to before me and signed in my presence.

Date: 08/02/2013 11:30 am

Peter E. Ormsby
Judge's signature

City and state: McAllen, Texas

Peter E. Ormsby, U.S. Magistrate Judge
Printed name and title

ATTACHMENT A

In December 2010, Drug Enforcement Administration (“DEA”) agents began conducting an investigation into a drug trafficking organization (“DTO”) involved in transporting large amounts of marijuana via tractor trailer from the Rio Grande Valley of TX area to Dallas, Texas, Arkansas, Tennessee, Alabama, Georgia, Iowa, and North Carolina. Throughout this investigation, agents received information from several cooperating defendants as well as confidential sources that has been corroborated through surveillance, documents and records.

During the course of this investigation, agents have interviewed several cooperating defendants (“CDs”) hereinafter referred to as CD #1, CD #2, CD #3, CD #4 and CD #5 who have provided information regarding the drug trafficking activities of Tomas GONZALEZ (“GONZALEZ”).

CD #1 told agents that one of his roles in the drug trafficking activities of GONZALEZ was to locate properties in the Rio Grande Valley to use for loading drugs into tractor-trailers. CD #1 further told agents that between 2007 through 2009 he assisted GONZALEZ in transporting numerous loads of marijuana from the Rio Grande Valley to such cities as Memphis, TN, Gadsden, AL., Atlanta, GA. Des Moines, IA and Charlotte, NC and that the loads consisted of between 3,000 pounds (1,364 kilograms) to 7,000 pounds (3,182 kilograms) of marijuana.

On March 7, 2009, CD #2 drove a tractor-trailer to the Falfurrias, TX Border Patrol checkpoint. During a search of the tractor-trailer, agents found approximately 139 kilograms of cocaine. During debriefings, CD #2 told agents that GONZALEZ approached him to transport a load of cocaine to a northern destination and that he

agreed. Subsequently, CD #2 drove the tractor-trailer to a location near Weslaco, Texas where GONZALEZ and others loaded the 139 kilograms of cocaine into the trailer.

CD #3 told agents that he met with GONZALEZ and others where they discussed CD #3 transporting loads of marijuana for GONZALEZ to the Dallas, TX area. CD #3 then told agents that in 2009 and 2010 he transported numerous loads of marijuana for GONZALEZ. CD #3 also told agents that on an occasion, he delivered a marijuana load to a warehouse in Dallas, TX where GONZALEZ was present.

On December 3, 2010, CD #3 told agents that he transported numerous loads of marijuana to Dallas, TX and Arkansas for GONZALEZ and others and that the marijuana was delivered to CD #4.

CD #4 told agents that GONZALEZ and others delivered numerous loads of marijuana to him in Memphis, TN. According to CD #4, on one occasion he took delivery of approximately 100 pounds (45 kilograms) of marijuana from GONZALEZ and others in Memphis, TN.

On November 14, 2009, CD #5 drove a tractor-trailer to the Falfurrias, TX Border Patrol checkpoint. During a search of the trailer, agents found approximately 2,083 pounds (947 kilograms) of marijuana. CD #5 told agents that GONZALEZ directed him to drive the tractor-trailer to a warehouse located near Donna, TX where the marijuana was loaded.

On October 27, 2012, CD #6 while at a truck stop near Edinburg, Texas was approached by an individual who asked him whether he was interested in transporting a load of marijuana. This individual then took CD #6 to meet with GONZALEZ. CD #6 agreed to transport the load of marijuana and on the following day was meet by

GONZALEZ and others who coordinated the loading of the marijuana into CD #6's tractor-trailer. Subsequently, on October 28, 2012 CD #6 was arrested at Falfurrias, TX Border Patrol checkpoint where the approximately 334 pounds (152 kilograms) of marijuana were found inside the trailer.

On July 29, 2013, Texas Department of Public Safety Agents obtained information from a confidential source that a tractor-trailer was going to be loaded with a large amount of marijuana at T & F Produce Warehouse located on Mile 6 West south of Mile 12 North in Weslaco, Texas. At approximately 11 p.m., agents observed a red Freightliner truck tractor drive into T & F Produce Warehouse. The officers saw that the Freightliner backed up to the loading dock and then drove off the property headed southbound on Mile 6 West. While following the Freightliner agents saw a white Ford pickup truck conducting counter surveillance. Subsequently, a Trooper conducted a traffic stop on the Freightliner on U.S. Highway 83 in Donna, Texas and identified the driver as Jacory O'Brien Greathouse. At the same time, agents attempted to conduct a traffic stop on the white Ford pickup as it travelled west on Mile 12 ½ North. The white Ford pickup sped off traveling at over 115 miles per hour. Officers lost sight of the white Ford pickup for several minutes but found it abandoned nearby. The Freightliner was taken to the Hidalgo, TX Port of Entry where the tractor-trailer was X-rayed. The X-ray search showed anomalies in the load of produce. Agents offloaded the produce and found 19 bundles of marijuana weighing approximately 708 pounds (322 kilograms). A record check of the white Ford pickup showed that GONZALEZ is the registered owner.